

MIDWEST ALLIANCE OF SOVEREIGN TRIBES (MAST)

Summer Meeting Agenda

Tama, Iowa

Red = Agenda

Aqua = My Notes

Wednesday, July 18th, 2012:

11:00 a.m. till 1:00 p.m. – Registration - Entrance to Meskwaki Veteran's Convention Center

11:30 a.m.-12:30 p.m. – Lunch Provided by Meskwaki /Sac & Fox Tribal Council – Meskwaki Vets' Convention Center

12:30 p.m. – MAST GENERAL ASSEMBLY-Meskwaki Vets' Convention Center

Call to Order – MAST President Michele Stanley (Saginaw Chippewa)

Opening Prayer – Lewis Taylor (St. Croix Chippewa)

Opening Remarks & Welcoming – Chairman Frank Black Cloud (Meskwaki/Sac and Fox)

Roll Call – MAST Secretary Robert Two Bears (only 3 tribes from MI present: LTBB, Pokagon, SCIT)

Elders Comments/Request – one elder comment re: Cobell v. Salazar case

Additions & Adopt the Agenda

Approve Minutes (Impact Meeting)

Executive Board Comments

Tentative Issues & Speakers:

1:00 p.m. – Tribal Leaders' Round Table Discussion/Direction

*Frank Ettawageshik (Exec. Director, United Tribes of MI) spoke about how MAST Impact Week seems to be coordinated at the last minute. He had no specific issues, just that we need to get ideas to Scott (Exec. Director, MAST) as soon as possible because it is hard for MAST to prepare without hearing from the Tribes.

*Matt Wesaw (Chairman, Pokagon Band of Potawatomi) explained that on the first Tuesday of every month with NCAI. He suggested that we (NCAI Midwest Region) do at least a quarterly business call. He also reiterated his dedication to being a voice for the Midwest tribes and take issues to NCAI on our behalf.

1:30 p.m. – Mr. Kevin Fitzgibbons, Administrator HUD

*"HEARTH ACT" just passed and should be signed by President Obama - Need to start looking at leasing regulations because Department of the Interior will be approving those. It increases the amount of years that land can be leased (e.g. residential up to 75 yrs.) One new, vague provision in the Act deals with environmental issues. There will be a requirement of public notice so that the public is aware of the project and potential impact if any. It was recommended that "if you want more self-determination for your tribe, you can draft your own tribal regulations and have them passed by the Dept. of the Interior.

*He gave us a brief summary of the Patchak v. Salazar case. In a nutshell, all the plaintiff is arguing is the authority of the Secretary of the Interior (any fee to trust acquisition can be challenged up to 6 years under Administrative Procedures Act. Following this case, the Clark Co. v. Secretary Brief will be completed on September 30, 2012. In the meantime, the Department of Interior will continue to apply a liberal standard. It's important to remember that sovereignty is a zero sum game for states. The more that Indian tribes have as a sovereign, the less the state in which they reside does; states don't like that. Local governments don't like sovereignty either because they lose tax base.

2:00 p.m. – Break

2:15 p.m. – Chairman Matt Wesaw – NCAI Proposed Constitutional Amendments

*Please see attached detailed descriptions of the proposed changes presented by NCAI Area Vice President, Midwest Region, Chairman Matt Wesaw, Pokagon Band of Potawatomi.

3:00 p.m. – Mr. Pete Jeffries – AARP & Congressional Relations and Political Affairs

* Presented information on the “You’ve Earned a Say” initiative from the Association of American Retired Persons (AARP). AARP is trying to garner support, collect comments, and conduct surveys regarding the federal Social Security Program and possible, impending inadequacies. He also spoke about how he, and AARP, is trying to also get face time with presidential candidates, media outlets, etc. He handed out surveys for MAST Representatives to fill out and collected them at the end. He also said a few things about the presidential campaigns; saying that President Obama looks to be ahead and in good shape to win the election. After his brief comments, he referred us to the AARP website for more specific information.

3:30 p.m. – Mr. Brian Pierson, Attorney – Godfrey

He gave us a brief summary of the Patchak v. Salazar case (see attached). In a nutshell, all the plaintiff is arguing is the authority of the Secretary of the Interior (any fee to trust acquisition can be challenged up to 6 years under Administrative Procedures Act. Following this case, the Clark Co. v. Secretary Brief will be completed on September 30, 2012. In the meantime, the Department of Interior will continue to apply a liberal standard. It’s important to remember that sovereignty is a zero sum game for states. The more Indian tribes have as a sovereign, the less the state in which they reside does; states don’t like that. Local governments don’t like sovereignty either because they lose tax base.

4:00 p.m. - Mr. Rusty Barber- LCO Tribal Council-WISDOT Native American Housing Provision

*Councilor Barber was supposed to talk, but he had to leave due to a healing ceremony for the damage done to ceremonial sites on LCO Reservation. He also had a death in the community over the evening hours. One of the LCO attorneys spoke in his stead. They were requesting support from Mast tribes in passing a resolution (MAST Resolution No. 10-12) Please see attached. Motion made by: St. Croix - Supported by: Saginaw Chippewa Indian Tribe. Resolution passed unanimously.

4:30 p.m. – Tribal Leaders’ 1st Reading/Comments on Midwest Health Board By-Laws

* By-laws and corresponding resolution (MAST 01-11) were placed in our meeting packet. There was a brief period of comments with lots of questions from the tribes present. The item was “tabled” so that tribal leaders could have more time to read the draft and to take the draft back home to collect comments from our tribes.

5:00 p.m. – Mr. William (Bill) Sulinckas, Regional NIMS Coordinator FEMA Region V

He did a presentation on the “READY” project and the Stafford Act. I was very happy to see that FEMA has taken the initiative to create disaster relief and safety ephemera specifically designed for tribal communities. Mr. Sulinckas is based at a FEMA Regional Office in Chicago, Illinois. Please see attached pamphlets. More information can be found at www.fema.gov/about/stafact.shtm

5:15 p.m. – Break

6:00 p.m. – Dinner Meskwaki Veterans' Convention Center

Sponsored by Mr. Chris Taylor, President/Owner 4-D

Thursday, July 19th, 2012

6:45 – 8:30 a.m. – Breakfast Meskwaki Vets' Convention Center - Sponsored by NIGA

8:00 a.m. Mr. Tracy Toulou, Director Department of Justice Eagle Feather Policy Prosecution Policy Consultation

*Indian Resources Section – they defend Department of Interior and they take on cases that threaten Indian tribes. They bring all sorts of affirmative litigation on behalf of tribes, as well. Some examples include US vs. MI (great lakes part of the suit included protection of Michigan tribes' ability to fish the Great Lakes and treaty rites); negotiations for inland fishing treaty rights; they also mentioned work they've done with the Saginaw Chippewa Tribe regarding their reservation boundaries and other related issues, like ICWA. They said that they have a commitment to supporting tribes' ability to take care of their people and work collaboratively with their neighbors. They segued into the consultation regarding the Eagle Feather Policy by stating that they also work with other federal departments regarding any questions they have involving eagle feathers and any issues attached to them.

They explained the Environmental Crime Section, which deals with land, water, air and other natural resources like eagles. They prosecute those that illegally kill/harvest eagles and focus on crimes that have the greatest threat to these resources. The companies that don't take measures to protect eagles from harmful impact like chemicals, electrical hazards, etc. As an example they mentioned that thirteen individuals have been prosecuted for approximately (at a minimum) of 56 eagles and 23 hawks that were illegally harvested. They also stated that they enforce laws against commercialization of eagle feathers, parts and related issues. Driven by an interest to clarify and improve their policies and approach to help with the protection these birds, the large entity that is the DOJ is a supporter of issuing the policy to ensure **continuity** of protection and to help other federal departments understand the importance and sacredness of these birds to Native people. They also want the ability to hand over prosecuting abilities to tribal prosecutors and to transfer enforcement responsibilities to tribes. They mentioned an Oct 15th, 2012 training for prosecutors and law enforcement officers focusing on how to enforce laws and to help tribes develop protection codes for their own governments.

The next portion of their presentation focused on some of the specifics of the draft policy. The said that there were seven main points they wanted to express to us during their talk: 1) Indian people will continue to maintain their rights to possession and use of eagles feathers/parts; 2)tribal members may loan or exchange parts with other Natives as long as there is no money exchanged for the feathers;3) Indian people may transfer feathers to craftsmen to use in creation of crafts without compensation, however people CAN pay someone for the labor in making an item that has eagle feathers/parts as part of the finished product; 4)members of federally-recognized tribes will NOT have to obtain a permit to have feathers – a tribal identification card is all they will need; 5) Indian people can/will be able to travel domestically and internationally with feathers and parts to Canada, etc.; 6) in the case of " found feathers," the policy will make it clear that tribal members can possess and use found feathers. It was stated that the DOJ understands that found feathers are of even more significance than other feathers; 7) again, the DOJ will encourage federal prosecutors to transfer cases involving eagle feathers and parts to tribal prosecutors when appropriate.

Websites mentioned for more information: www.justice.gov/otj (Office of Tribal Justice); eagles@usda.gov. Reminder: this policy is still only a *draft* (proposed) policy. DOJ has not had, until NOW, a formal, written policy. Public comments regarding the policy must be made/submitted before August 1, 2012. (LTBB has already submitted comments)

10:00 a.m. – Resolution(s) Approval (see attached)

10:30 a.m. – Mr. Paul Kronlage – Senior VP, 1st Community Trust/Current Economic Conditions

*Bond prices appear to be fully valued; stocks appear to be attractively priced; risks remain; diversification and discipline are more important than ever. He gave a very brief update on how the current US economy is effecting Indian Country. There is some growth but at a very slow rate. GDP: Consumption is at 71% - important for tribes because that's where we see effects in terms of gaming and other businesses that people use/come to tribes for. The housing market also affects the consumer and its improving, but there is a lot of inventory still out there. Banks have been hoarding the extra money they retain from the interest rates they charge each other from overnight funds transfer. He explained that bond prices move in the opposite direction of interest rates; he said we cannot continue at the pace we are going. He also said that people buying bonds may be surprised when the trend reverses and interest rates increase. He closed with saying that bond prices appear to be fully valued; stocks appear to be attractively priced; risks remain, and diversification and discipline are more important than ever.

11:00 a.m. – NIHB SDPI Briefing Special Diabetes Program for Indians (cancelled)

11:30 a.m. – Midwest Health Board By-Laws Review/Approval/Appointments/Elections (tabled)

12 noon – Adjourn (adjourned at approximately 11:20 a.m.)
